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10/697,979	10/31/2003	Jong-Tae Park	45788	8965

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EXAMINER

MADDEN, GREGORY VINCENT

ART UNIT	PAPER NUMBER
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2622

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07/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/697,979	Applicant(s) PARK, JONG-TAE	
	Examiner Gregory V. Madden	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed June 5, 2007 have been fully considered but they are not persuasive.

In regard to claim 1, the Applicant argues that the Hashimoto reference (U.S. Pat. 5,398,062) fails to teach a detection unit detecting the position of the first zoom lens for the first image-capturing mode and the position of the second zoom lens for the second image-capturing mode. Specifically, the Applicant contends that Hashimoto merely teaches a “controller calculating a value of the detection signal to be generated when the angle of view of the picked-up image coincides with that of the photographic camera”, as is discussed in Pgs. 7-8 of the Remarks. The Examiner respectfully disagrees. Noting Col. 24, Lines 11-39, Hashimoto teaches that both zoom lenses (imaging lenses 2 and 3) have potentiometers (93 and 94, respectively) connected thereto. Corresponding to the zooming power of each lens, each potentiometer sends a voltage “detection” signal (SDv for imaging lens 2, SDp for imaging lens 3) to the controller 27. Based on the detection signal provided, the controller 27 determines whether each zoom lens is at the WIDE end or at the TELE end, as specifically disclosed in Col. 24, Lines 23-26 and Lines 33-35. The zoom lenses 2 and 3 are later adjusted to have coinciding view angles based on the detection signals SDv and SDp sent to the controller 27. In this manner, the Examiner believes that Hashimoto does teach a detection unit detecting the position of the first zoom lens (i.e. controller 27 detects the position (WIDE or TELE) of imaging lens 2 based on detection signal SDv) for the first image-capturing mode (video), and the position of the second zoom lens (i.e. controller 27 detects the position (WIDE or TELE) of imaging lens 3 based on detection signal SDp) for the second image-capturing mode (photography). By receiving the detection signals SDv and SDp, the controller of Hashimoto is detecting the position of the zoom lenses 2 and 3, and thus the Examiner maintains that the Hashimoto reference

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does in fact teach the limitations of claim 1. As such, the previous rejection to claim 1 under 102(b) is maintained.

As for claims 2-7, the Applicant argues that these claims should be allowable based upon their dependence from claim 1. However, as is set forth above, the Examiner believes that the Hashimoto reference sufficiently teaches the limitations of claim 1, and thus the rejections of claims 2-7 are hereby maintained.

Next, considering claim 8, the Applicant again submits that the Hashimoto reference (U.S. Pat. 5,398,062) fails to teach a detection unit detecting the position of the first zoom lens for the first image-capturing mode and the position of the second zoom lens for the second image-capturing mode, and that neither Nakamura et al. (U.S. Pub. 2002/0030749) nor Shibata et al. (U.S. Pat. 7,084,919) cure this deficiency. However, as explained above with respect to claim 1, the Hashimoto reference teaches that both zoom lenses (imaging lenses 2 and 3) have potentiometers (93 and 94, respectively) connected thereto. Corresponding to the zooming power of each lens, each potentiometer sends a voltage “detection” signal (SDv for imaging lens 2, SDp for imaging lens 3) to the controller 27. Based on the detection signal provided, the controller 27 determines whether each zoom lens is at the WIDE end or at the TELE end, as specifically disclosed in Col. 24, Lines 23-26 and Lines 33-35. The zoom lenses 2 and 3 are later adjusted to have coinciding view angles based on the detection signals SDv and SDp sent to the controller 27. In this manner, the Examiner believes that Hashimoto does teach a detection unit detecting the position of the first zoom lens (i.e. controller 27 detects the position (WIDE or TELE) of imaging lens 2 based on detection signal SDv) for the first image-capturing mode (video), and the position of the second zoom lens (i.e. controller 27 detects the position (WIDE or TELE) of imaging lens 3 based on detection signal SDp) for the second image-capturing mode (photography). As such, the rejection of claim 8 is maintained, as are those of dependent claims 9 and 10. Please refer to the detailed rejections of claims 1-10 set forth below.

Finally, the Examiner notes that the Applicant has amended the specification to correct the previously objected-to typographical error. The previous objection to the specification is therefore withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Hashimoto et al. (U.S. Pat. 5,398,062).

First, considering **claim 1**, the Hashimoto reference teaches an image-capturing device (combined video and still image camera) comprising a camera part having a first camera (video camera at imaging lens 2) adapted to capture images of a subject at a position of a first zoom lens (imaging lens 2) if a first image-capturing mode (video capture mode) is selected (via mode changeover switch 96) and a second camera (photographic camera at imaging lens 3) adapted to capture images of a subject at a position of a second zoom lens (imaging lens 3) if a second image capturing mode (photographic mode) is selected (again, via mode changeover switch 96). Hashimoto further discloses a mode sensing unit (mode changeover switch 96) for sensing an image-capturing mode for the camera part, a detection unit (controller 27) for detecting the position of the first zoom lens (2) for the first image-capturing mode and the position of the second zoom lens (3) for the second image-capturing mode, and a control unit (again, controller 27) for controlling the detection unit to detect the position of the first zoom lens previously selected for the first image-capturing mode (i.e. the setting of imaging lens 2 for video capture) and the

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position of the second zoom lens subsequently selected for the second image-capturing mode (i.e. the setting of imaging lens 3 for still photographic capture) if the image-capturing modes are selected and changed from the first image-capturing mode (video) to the second image-capturing mode (photographic) based on an output signal of the mode sensing unit (mode changeover switch 96), wherein the control unit (27) compares the positions of the first and second zoom lenses detected from the detection unit and, if the positions are determined to be different, sets a value of the position of the first zoom lens (2) to a value of the position of the second zoom lens (3) (i.e. sets the zoom of imaging lens 3 to be the same as that of imaging lens 2 when the modes are changed from video to still photographic capture). Please refer to Figs. 1 and 43, and Col. 26, Line 66 – Col. 28, Line 39.

As for **claim 2**, the limitations of claim 1 are shown above, and the Hashimoto reference further discloses that the image-capturing device comprises a view angle calculation unit (again, controller 27) for calculating view angles for positions of the first (2) and second (3) zoom lenses respectively, wherein the control unit (27) decides whether the magnifications of the first and second zoom lenses corresponding to the first and second image-capturing modes (video and photographic) respectively are the same, and if they are determined to be different, compares view angles sequentially calculated from the view angle calculation unit (27) with a previously calculated view angle of the first zoom lens (imaging lens 2) while moving the second zoom lens (imaging lens 3) in a certain direction, and sets a value of the position of the second zoom lens the position indicating a minimum value in the view angle difference between the first and second zoom lenses (i.e. one view angle is brought to a value as close to the other as possible, as stated by Hashimoto in Col. 27, Lines 36-37). Again, please refer to fig. 43 and Col. 26, Line 66 – Col. 28, Line 39.

Considering **claim 4**, again the limitations of claim 1 are taught above, and Hashimoto shows in Fig. 1 that the first (2) and second (3) cameras are disposed opposite to each other.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Pat. 5,398,062) in view of Nakamura et al. (U.S. Pub. 2002/0030749).

Next, regarding **claim 3**, the limitations of claim 1 are again taught above by Hashimoto, but the Hashimoto reference teaches that the first camera (at imaging lens 2) is a video camera (capturing images on CCD 12) for capturing moving images in the first image-capturing mode, while the second camera is a photographic film camera (at imaging lens 3) for capturing still images in the second image capturing mode. However, the Nakamura reference discloses a digital image-capturing device comprising a first camera (still image sensor D1) that is a digital still camera for capturing still images via a first lens system 51, and the second camera (moving image sensor D2) is a digital video camera for capturing moving pictures in the second image-capturing mode via second lens system 52 (See Fig. 2 and Paras. [0086-0092]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the digital still camera and digital video camera of Nakamura with the image-capturing device of Hashimoto. One would have been motivated to do so because the use of digital technology in cameras enables the captured image to be processed and recorded in many different ways, both before and after capture, while a photographic film only allows for alteration of such settings to be performed before image capture. Thus, digital images are easily manipulated to the user's preferences.

Considering **claim 5**, the limitations of claim 1 are set forth above, and the Nakamura reference further discloses that the image-capturing device comprises a storage unit (recording means 25),

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detachably mounted on a main body thereof, for storing an image signal for the subject image-captured through the first (D1) and second (D2) camera. Please refer to Fig. 2 and Para. [0062].

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Pat. 5,398,062) in view of Shibata et al. (U.S. Pat. 7,084,919).

Next, in regard to **claim 6**, the Hashimoto reference teaches the limitations of claim 1 above, but Hashimoto fails to teach that the camera part is provided on a main body thereof to rotate by a certain angle. However, the Shibata reference teaches a camera part (flip unit 20) having a plurality of digital cameras thereon (with first photographic lens 33 and second photographic lens 23), where the camera part is provided on a main body thereof (main unit 10) to rotate by a certain angle (See Figs. 3 and 13, and Col. 13, Lines 11-54). It would have been obvious to one of ordinary skill in the art to have incorporated the camera part provided to rotate by a certain angle, as taught by Shibata, with the image-capturing device of Hashimoto. One would have been motivated to do so because by allowing the camera part to be rotated by certain angles, the user can capture images in a plurality of viewing directions from either the first camera or second camera, all the while viewing the desired scene on a viewfinder or display, thus allowing the user to adjust the focus, etc., of the scene to be captured, as Shibata teaches in Col. 3, Lines 4-8.

As for **claim 7**, the limitations of claim 1 are again taught above, and while Hashimoto does teach that the mode sensing unit (mode changeover switch 96) senses the image-capturing mode (still or digital video capture) in Col. 26, Line 66 – Col. 28, Line 39, Hashimoto fails to teach that the mode sensing unit senses the image-capturing mode in correspondence to rotations of the camera part. However, the Shibata reference teaches that a mode sensing unit (axial unit state sensor 55) senses the image-capturing mode in correspondence to rotations of the camera part in Col. 13, Lines 11-54.

Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Pat. 5,398,062) in view of Nakamura et al. (U.S. Pub. 2002/0030749) further in view of Shibata et al. (U.S. Pat. 7,084,919).

Next, considering **claim 8**, the Hashimoto reference teaches a control method for an image-capturing device (combined video and still image camera) including a camera part having a first camera (video camera at imaging lens 2) adapted to capture images of a subject at a position of a first zoom lens (imaging lens 2) if a first image-capturing mode (video capture mode) is selected (via mode changeover switch 96) and a second camera (photographic camera at imaging lens 3) adapted to capture images of a subject at a position of a second zoom lens (imaging lens 3) if a second image capturing mode (photographic mode) is selected (again, via mode changeover switch 96). Hashimoto further discloses a mode sensing unit (mode changeover switch 96) for sensing an image-capturing mode for the camera part, a detection unit (controller 27) for detecting the position of the first zoom lens (2) for the first image-capturing mode and the position of the second zoom lens (3) for the second image-capturing mode, and a control unit (again, controller 27) for controlling the detection unit to detect the position of the first zoom lens previously selected for the first image-capturing mode (i.e. the setting of imaging lens 2 for video capture) and the position of the second zoom lens subsequently selected for the second image-capturing mode (i.e. the setting of imaging lens 3 for still photographic capture) if the image-capturing modes are selected and changed from the first image-capturing mode (video) to the second image-capturing mode (photographic) based on an output signal of the mode sensing unit (mode changeover switch 96), wherein the control unit (27) compares the positions of the first and second zoom lenses detected from the detection unit and, if the positions are determined to be different, sets a value of the position of the first zoom lens (2) to a value of the position of the second zoom lens (3) (i.e. sets the zoom of imaging lens 3 to be the same as that of imaging lens 2 when the modes are changed from video to still photographic capture). Please refer to Figs. 1 and 43, and Col. 26, Line 66 – Col. 28, Line 39. What Hashimoto fails to

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teach is that the camera part is provided on a main body thereof to rotate by a certain angle, and that the image-capturing device includes a storage- unit for storing an image signal for the image-captured subject. However, noting the Nakamura reference, Nakamura discloses that the image-capturing device comprises a storage unit (recording means 25), detachably mounted on a main body thereof, for storing an image signal for the subject image-captured through the first (D1) and second (D2) camera (See Fig. 2 and Para. [0062]). Also, referring to the Shibata reference, Shibata teaches a camera part (flip unit 20) having a plurality of digital cameras thereon (with first photographic lens 33 and second photographic lens 23), where the camera part is provided on a main body thereof (main unit 10) to rotate by a certain angle. (See Figs. 3 and 13, and Col. 13, Lines 11-54). It would have been obvious to one of ordinary skill in the art to have incorporated the camera part provided to rotate by a certain angle, as taught by Shibata, as well as a storage unit for storing an image signal, as taught by Nakamura, with the image-capturing device of Hashimoto. One would have been motivated to do so because by allowing the camera part to be rotated by certain angles, the user can capture images in a plurality of viewing directions from either the first camera or second camera, all the while viewing the desired scene on a viewfinder or display, thus allowing the user to adjust the focus, etc., of the scene to be captured, as Shibata teaches in Col. 3, Lines 4-8. Further, by incorporating a storage unit for storing an image signal, the user can store image data for subsequent processing in either the image-capturing device or in an external device, thereby adding to the portability of the device.

In regard to **claim 9**, the limitations of claim 8 are taught above, and the Hashimoto reference further discloses that the image-capturing modes are decided to be changed from the first image-capturing mode (e.g. video) to the second image capturing mode (e.g. photographic still) based on an output signal of the mode sensing unit (mode changeover switch 96), wherein a control unit (27) decides whether the magnifications of the first and second zoom lenses corresponding to the first and second image-capturing modes (video and photographic) respectively are the same. Further, Hashimoto teaches that the device

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comprises a view angle calculation unit (again, controller 27) for calculating view angles for positions of the first (2) and second (3) zoom lenses respectively, wherein if they are determined to be different, the view angles sequentially calculated from the view angle calculation unit (27) are compared with a previously calculated view angle of the first zoom lens (imaging lens 2) while moving the second zoom lens (imaging lens 3) in a certain direction, and the device sets a value of the position of the second zoom lens, the position indicating a minimum value in the view angle difference between the first and second zoom lenses (i.e. one view angle is brought to a value as close to the other as possible, as stated by Hashimoto in Col. 27, Lines 36-37). Again, please refer to fig. 43 and Col. 26, Line 66 – Col. 28, Line 39.

Finally, regarding **claim 10**, the limitations of claim 8 are once again taught above, and the Nakamura reference discloses a digital image-capturing device comprising a first camera (still image sensor D1) that is a digital still camera for capturing still images via a first lens system 51, and the second camera (moving image sensor D2) is a digital video camera for capturing moving pictures in the second image-capturing mode via second lens system 52 (See Fig. 2 and Paras. [0086-0092]).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory V. Madden whose telephone number is 571-272-8128. The examiner can normally be reached on Mon.-Fri. 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory Madden
July 5, 2007



NGOC-YEN VU
SUPERVISORY PATENT EXAMINER